

**BOARD OF NURSING
MEETING MINUTES
FEBRUARY 13, 2014**

PRESENT: Julia Nelson, Julie Ellis, Jeffrey Miller, Lillian Nolan, Sheryl Krause, Paul Abegglen

EXCUSED: Maria Joseph

STAFF: Dan Williams - Executive Director; Matt Guidry - Bureau Assistant; Sharon Henes - Rules Coordinator; Pam Stach – Board legal counsel, and other DSPS Staff

CALL TO ORDER

The Chair called the meeting to order at 8:03 a.m. A quorum of six (6) members was confirmed.

ADOPTION OF AGENDA

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the agenda as published. Motion carried unanimously.

N2, N3 RELATING TO LICENSURE

MOTION: Lillian Nolan moved, seconded by Paul Abegglen, to reject 1a,1b, 1g, 5d, 5f, 5h, and to accept all remaining Clearinghouse comments for Clearinghouse Rule 14-002 relating to licensure and councils. Motion carried unanimously.

MOTION: Paul Abegglen moved, seconded by Lillian Nolan, to authorize Jeffrey Miller to approve the Legislative Report and Draft for Clearinghouse Rule 14-002 revising N2 and N3 for submission to the Governor's Office and Legislature. Motion carried unanimously.

N1 RELATING TO SCHOOL APPROVAL

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to partially reject 2c, 5h(6), and reject in its entirety 5L, and to accept all remaining Clearinghouse comments for Clearinghouse Rule 14-004 relating to school approval. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Sheryl Krause, to amend Clearinghouse Rule 14-004 to address public hearing comments by David Dies and Dawn Driscoll. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Paul Abegglen, to authorize Jeffrey Miller to approve the Legislative Report and Draft for Clearinghouse Rule 14-004 revising N1 for submission to the Governor's Office and Legislature. Motion carried. *Julie Ellis opposes.*

APPROVAL OF MINUTES OF JANUARY 9, 2014

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to approve the minutes of January 9, 2014 as published. Motion carried unanimously.

DELEGATED AUTHORITY

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to delegate to the attorney assigned to each screening panel the discretion to close cases that clearly do not allege a provable violation of law and therefore do not merit review by the full screening panel. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to request DSPS staff to create a report, for full board review, of cases not opened prior to screening panel meeting by DLSC staff. The report should include a brief synopsis of the complaint and the reason the DLSC attorney did not open the complaint. The report shall cover the complaints received in March, April, and May of 2014. Motion carried unanimously.

NCSBN OPERATIONS AND INFORMATION TECHNOLOGY CONFERENCE

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to designate Matthew Niehaus and one other DSPS staff member to attend the 2014 Operations and Information Technology Conference – Chicago, Illinois – May 13-14, 2014. Motion carried unanimously.

CLOSED SESSION

MOTION: Jeffrey Miller moved, seconded by Sheryl Krause, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Julia Nelson read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote; Julia Nelson-yes; Julie Ellis-yes; Lillian Nolan-yes; Jeffrey Miller-yes; Sheryl Krause-yes; and Paul Abegglen - yes. Motion carried unanimously.

The Board convened into Closed Session at 11:25 a.m.

RECONVENE TO OPEN SESSION

MOTION: Lillian Nolan moved, seconded by Paul Abegglen, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 4:28 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Paul Abegglen moved, seconded by Julie Ellis, to affirm all motions made in closed session. Motion carried unanimously.

MONITORING

Sherry Ward, R.N. – APPEARANCE FOR FULL LICENSURE

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to deny the request of Sherry Ward, R.N. for full licensure. **Reason for Denial:** she has not shown adequate compliance under the terms of the Board order. The Board grants her request to reduce her screenings to 28 per year. Motion carried unanimously.

Wendy Aguirre, R.N. – Requesting Full Licensure

MOTION: Jeffrey Miller moved, seconded by Julie Ellis, to deny the request of Wendy Aguirre, R.N.– Requesting Full Licensure. **Reason for Denial:** Because Applicant has not been employed the Board has not received reports evaluating her work performance. Motion carried unanimously.

Melissa Carson, L.P.N. – Requesting Full Licensure

MOTION: Julie Ellis moved, seconded by Lillian Nolan, to deny the request of Melissa Carson, L.P.N. – Requesting Full Licensure. **Reason for Denial:** The Applicant is not in compliance with the terms of the disciplinary order. Motion carried unanimously.

MOTION: Paul Abegglen moved, seconded by Julie Ellis, to refer Melissa Carson, L.P.N. case# 09NUR300 to DLSC for consideration of a potential violation of a Board order and unsatisfactory work reports. Motion carried unanimously.

David Cross, R.N. – Requesting Reduction in Screenings

MOTION: Paul Abegglen moved, seconded by Sheryl Krause, to grant the request of David Cross, R.N. – Requesting Reduction in Screenings to 14 drug and alcohol screenings and 1 hair test. Motion carried unanimously.

Robert Kennison, R.N. – Requesting Full Licensure

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to deny the request of Robert Kennison, R.N. – Requesting Full Licensure. **Reason for Denial:** due to lack of compliance with submission of work reports. Motion carried unanimously.

Larisa Klein, R.N. – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to grant the request of Larisa Klein, R.N. – Requesting Full Licensure. . Motion carried unanimously.

Amanda Koepel, R.N. – Requesting Termination of Direct Supervision

MOTION: Paul Abegglen moved, seconded by Lillian, to deny the request of Amanda Koepel, R.N. – Requesting Termination of Direct Supervision. **Reason for Denial:** not sufficient time under the order to show adequate compliance. Motion carried unanimously.

Mary Jo Trunnell, R.N. – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Sheryl Krause, to deny the request of Mary Jo Trunnell, R.N. – Requesting Full Licensure. **Reason for Denial:** history of non-compliance with screening requirements. Motion carried unanimously.

Iphra Wigely, L.P.N. – Consideration of Non-compliance with Board Order

MOTION: Paul Abegglen moved, seconded by Sheryl Krause, to refer the matter of Iphra Wigely, L.P.N. to DLSC for potential violation of the Board disciplinary order. Motion carried unanimously.

NURSING REFRESHER COURSE

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to delegate to the Board Monitoring Liaison the authority to grant full licensure to applicants upon successful completion of a nurse refresher course once all other requirements are met until this function is transferred to Division of Professional Credential Processing. Motion carried unanimously.

Julie Jankowski – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to grant the request of Julie Jankowski – Requesting Full Licensure. Motion carried unanimously.

Patricia Kenny-Bradley – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to grant the request of Patricia Kenny-Bradley – Requesting Full Licensure. Motion carried unanimously.

Sandra McLatchie – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to grant the request of Sandra McLatchie – Requesting Full Licensure. Motion carried unanimously.

Deborah Modder – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to grant the request of Deborah Modder – Requesting Full Licensure. Motion carried unanimously.

Margaret Stoiber – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to grant the request of Margaret Stoiber – Requesting Full Licensure. Motion carried unanimously.

Kerri Walthers – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to grant the request of Kerri Walthers – Requesting Full Licensure. Motion carried unanimously.

Carrie Sterner – Requesting Full Licensure

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, to grant the request of Carrie Sterner – Requesting Full Licensure. Motion carried unanimously.

RECONSIDERATION OF DENIAL

MOTION: Paul Abegglen moved, seconded by Jeffrey Miller, upon receipt and consideration of further information provided by DLSC after investigation and not available to the Board at the initial review and denial, the Board grants the petition for reconsideration, rescinds the denial of the application of Tara A. Gardner and grants the applicant the right to sit for the required examination. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to close DLSC case number 14NUR005, against T.A.G. Motion carried unanimously.

STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Lisa M. Johnson 12NUR480. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Rosanne M. Larson 12NUR567. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Lizzy Y. Lapido 12NUR594. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Deborah S. Bresser 13NUR102. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against David M. Knack 13NUR280. Motion carried unanimously.

- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Joseph P. Slusar 13NUR369. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Thomas B. Farrar 13NUR420. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Brunhilda C. Tumnde 13NUR427. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Robert B. Watts 13NUR440. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Lillian Nolan, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Angelica M. Rowin-Fox 13NUR463. The Board requests that DLSC include quarterly work reports for two years in any further resolution. Motion carried. *Julie Ellis opposes.*
- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Erin L. Pool 13NUR483. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Barbara A. Kloss 13NUR566. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Keeley M. Allen 13NUR572. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Christine M. Bertin 13NUR600. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Melissa L. Northwood 13NUR633. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Dale Uhr 13NUR634. Motion carried unanimously.
- MOTION:** Jeffrey Miller moved, seconded by Paul Abegglen, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Lisa J. Warner 13NUR651. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Allyson K. Rossi 13NUR475. Motion carried unanimously with two-thirds Board membership.

ADMINISTRATIVE WARNINGS

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to issue an Administrative Warning and close the case in the matter of DLSC case number. 12NUR488. J.E.S Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to issue an Administrative Warning and close the case in the matter of DLSC case number. 13NUR328. D.L.D Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to issue an Administrative Warning and close the case in the matter of DLSC case number 13NUR367 K.A.O.. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to issue an Administrative Warning and close the case in the matter of DLSC case number 13NUR508 R.M.C. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to issue an Administrative Warning and close the case in the matter of DLSC case number 13NUR563 K.M.K.. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to issue an Administrative Warning and close the case in the matter of DLSC case number 13NUR622 C.A.F. Motion carried unanimously.

CASE CLOSURES

13NUR469 JB

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to close DLSC case number **13NUR469 J.B.**, for prosecutorial discretion (***P5 with flag***). Motion carried unanimously.

13NUR707, UNKNOWN

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to close DLSC case number **13NUR707**, unknown, for insufficient evidence. Motion carried unanimously.

12NUR337 SN

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to close DLSC case number **12NUR337 S.N.**, for prosecutorial discretion (***P5 with a flag***). Motion carried unanimously.

12NUR139 LM-T

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to close DLSC case number **12NUR139 LM-T**, for prosecutorial discretion (**P5 with a flag**). Motion carried unanimously.

13NUR212 JK

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to close DLSC case number 13NUR212, JK for prosecutorial discretion (P5). Motion carried unanimously.

13NUR314 EM

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to close DLSC case number **13NUR314 EM** for insufficient evidence. Motion carried unanimously.

13NUR447 ES

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to close DLSC case number **13NUR447 ES** for no violation. Motion carried unanimously.

FINAL DECISIONS

MOTION: Jeffrey Miller moved, seconded by Julie Ellis, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Smokowicz Salceda, Cheryl, RN (DHA#SPS-12-0079)(DLSC#10NUR239). Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to table the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of Harris, Vicki, RN (DHA#SPS-13-0044) (DLSC#12NUR300) due to lack of two-thirds majority for voting purposes. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to table the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Harris, Coretta, RN (DHA#SPS-13-0045) (DLSC#13NUR002) due to lack of two-thirds majority for voting purposes. Motion carried unanimously.

ORDER FIXING COSTS

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Joan W. Cummings, R.N. – ORDER0002528. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Michelle J. Eagle, R.N. - ORDER0002529. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Sherrel Owens, L.P.N., ORDER0002492. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Beverly A. Servais, L.P.N., ORDER0002402. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Kay S. White, L.P.N., ORDER0002403. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Diane T. Zakopyko, R.N., ORDER0002470. Motion carried unanimously.

CREDENTIALING MATTERS

Julie Anderson – Civil Suit Review

MOTION: Jeffrey Miller moved, seconded by Sheryl Krause, to grant the license by endorsement of Julie Anderson once all requirements are met. Motion carried unanimously.

Linda Bremberger – Disciplinary Action Review

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to approve the A.P.N.P. certification for Linda Bremberger, once all requirements are met. Motion carried unanimously.

Marcella Forman – Disciplinary Action Review

MOTION: Jeffrey Miller moved, seconded by Sheryl Krause, to approve the Licensure by Endorsement for Marcella Forman, once all requirements are met. Motion carried unanimously.

Carrie West – Application Review

MOTION: Lillian Nolan moved, seconded by Julie Ellis, to deny the application of Carrie West for reinstatement of her license following revocation pursuant to Wis Stat Sec 441.07(2) due to a failure to provide evidence of rehabilitation. Motion carried unanimously.

ADJOURNMENT

MOTION: Paul Abegglen moved, seconded by Lillian Nolan, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:29 p.m.